



Express Mail No.: EV473972060US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Confirmation No.: 5119

Application No.: 09/717,057

Group Art Unit: 1647

Filed: November 21, 2000

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE
TISSUE FUNCTION BY
PERIPHERALLY ADMINISTERED
ERYTHROPOIETIN

Attorney Docket No.: 10165-010-999

SUBMISSION OF ISSUE AND PUBLICATION FEES

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Allowance and Fees Due mailed on May 18, 2007 in connection with the above-identified patent application, submitted herewith is:

- (i) the Fee Transmittal (Form PTOL-85), including authorization of the required fees (in duplicate);
- (ii) a Transmittal Of Change Of Correspondence Address Form, with Change of Correspondence Address Form PTO/SB/122;
- (iii) a Notification Of Loss Of Entitlement To Small Entity Status Under 37 C.F.R. § 1.27(g)(2) (in duplicate);
- (iv) a Request For A Corrected Filing Receipt, with a marked-up copy of an Updated Filing Receipt issued April 16, 2001, a copy of the first original Filing Receipt issued March 22, 2001, a copy of an Application Data Sheet Under 37 C.F.R. § 1.72, and a copy of the return Express Mail Receipt, dated February 22, 2001;
- (v) a Transmittal Of Revocation And Power Of Attorney, with Revocation And Power Of Attorney and a copy of a Certificate of Amendment of The Certificate of Incorporation of The Kenneth S. Warren Laboratories, Inc;

and

(vi) Amendment Under 37 C.F.R. § 1.312, with copies of the Request For Filing a Divisional Application Under 37 C.F.R. § 1.53(b) And Patent Application Fee Value Sheet, dated November 21, 2000, and the Application Data Sheet Under 37 C.F.R. § 1.72 and return Express Mail Receipt, dated February 22, 2001.

Please charge the required fees, estimated to be \$1,700 (for large entity, a \$1,400 issue fee and \$300 publication fee), to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: August 14, 2007

Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)

By: Eileen E. Falvey 46,097
Eileen E. Falvey (Reg. No.)

Enclosures



Express Mail No.: EV473972060US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Confirmation No.: 5119

Application No.: 09/717,057

Group Art Unit: 1647

Filed: November 21, 2000

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE
TISSUE FUNCTION BY
PERIPHERALLY ADMINISTERED
ERYTHROPOIETIN

Attorney Docket No.: 10165-010-999

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY
STATUS UNDER 37 C.F.R. § 1.27(g)(2)**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, Attorney of record, respectfully notifies the Patent and Trademark Office of a change in status resulting in loss of entitlement to Small Entity Status, pursuant to 37 C.F.R. §1.27(g)(2). Although Small Entity Status was correctly established for the above-identified application at the time of filing, the above-identified application is no longer eligible for entitlement to Small Entity Status at the time of paying the issue fee, submitted concurrently herewith.

The Attorney of record is thus notifying the Patent and Trademark Office of such change of status for paying the issue and publication fees in connection with the above-identified application.

If there is any other fee associated with payment as a Large Entity for the above-identified application, the Commissioner is authorized to charge such fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: August 14, 2007

Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)

By: Eileen E. Falvey 46,097
Eileen E. Falvey (Reg. No.)

Enclosure

Express Mail No. EL 501 637 075US First Class Mail ()
Date Mailed 2/22/01
Ser. No. 091711,057 Filed 11/21/00
Inventor Brines et al.

For MODULATION OF EXCITABLE TISSUE FUNCTION BY
PERIPHERALLY ADMINISTERED CRYTHROPOIETIN

() Affidavit/Declaration
() Amendment Preliminary + Request () Fee Address Indication Form
() Application Pages To Establish Small () Fee Calculation
() Claims Drawings Entity () Issue Fee Transmittal
() Appeal, Notice of () Letter
() Assignment () Oral Hearing Req./Confirm.
() Brief (in triplicate) () Petition to Extend Time
() Declaration & Power of Attorney () Pet. under 37 C.F.R. FEB 22, 2001
() Design Application () Power of Attorney
() Disclaimer Associate w/Revocation
() Disclosure Statement + PTO Form 1449 () Sequence Listing w/Computer Readable and Paper Copies
() w/refs. () w/o refs. List of References () Small Entity Statement
() Drawings Formal Sheets Figures () Status Letter
() Transmittal Letter

Other: Application Data Sheet Under 37 CFR 51.72

File No. 10165-010-099 Sender: LAC/EEF

Express Mail No. EL 501 637 075US First Class Mail ()
Date Mailed 2/22/01
Ser. No. 091711,057 Filed 11/21/00
Inventor Brines et al.

For MODULATION OF EXCITABLE TISSUE FUNCTION BY
PERIPHERALLY ADMINISTERED CRYTHROPOIETIN

() Affidavit/Declaration
() Amendment Preliminary + Request () Fee Address Indication Form
() Application Pages To Establish Small () Fee Calculation
() Claims Drawings Entity () Issue Fee Transmittal
() Appeal, Notice of () Letter
() Assignment () Oral Hearing Req./Confirm.
() Brief (in triplicate) () Petition to Extend Time
() Declaration & Power of Attorney () Pet. under 37 C.F.R. FEB 22, 2001
() Design Application () Power of Attorney
() Disclaimer Associate w/Revocation
() Disclosure Statement + PTO Form 1449 () Sequence Listing w/Computer Readable and Paper Copies
() w/refs. () w/o refs. List of References () Small Entity Statement
() Drawings Formal Sheets Figures () Status Letter
() Transmittal Letter

Other: Application Data Sheet Under 37 CFR 51.72

File No. 10165-010-099 Sender: LAC/EEF